

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

UNITED STATES OF AMERICA, §
Plaintiff, §
§
v. § CASE NO. A-96-CR-190(1)-JRN
§
TONY DAVIS, §
Defendant, §
and §
§
BANK OF AMERICA, N.A., §
Garnishee. §

WRIT OF GARNISHMENT TO BANK OF AMERICA, N.A.

GREETINGS TO: **Bank of America, N.A.**

An application for a Writ of Garnishment against the property of Tony Davis, Defendant, has been filed with this Court. A judgment has been entered against the above-named Defendant in favor of the United States of America in the amount of \$3,609,937.79. The principal balance of \$3,576,857.79 remains due and owing as of August 23, 2010.

Pending further order of this court, you shall withhold and retain any property in which the Defendant, Tony Davis, has a substantial non-exempt interest and for which you are or may become indebted to the Defendant.

You are required by law to answer in writing, under oath, **within ten (10) days**, whether or not you have in your custody, possession, or control, or anticipate receiving any property in which the Defendant has a substantial non-exempt interest. You may use the attached form for this purpose, if you wish. You must file the **original** written answer to this writ **within ten (10) days** of your receipt of this writ with the United States District Clerk at: U.S. Courthouse, 200 W. 8th Street, Austin, Texas 78701. Additionally, you are required by law to serve a **copy** of your answer

upon the Defendant, Tony Davis, c/o Ray Fisher, Attorney at Law, P. O. Box 684565, Austin, Texas 78768. You must also serve a **copy** of your answer upon the United States Attorney, Attn: Susan B. Biggs, Assistant United States Attorney, 601 N.W. Loop 410, Suite 600, San Antonio, Texas 78216.

Under the law, there is property which is exempt from this writ of garnishment. Property which is exempt and which may not be subject to this order is described on the attached form.

If you fail to answer this writ or withhold property in accordance with this writ, the United States of America may petition the court for an order requiring you to appear before the court. If you fail to appear or do appear and fail to show good cause why you failed to comply with this writ, the court may enter a judgment against you for the value of the Defendant's non-exempt property. It is unlawful to pay or deliver to the Defendant any item attached by this writ.

This writ is continuing in nature and shall be terminated only if one of the following conditions are met: 1) the court issues an order quashing the writ, 2) the property in your possession, custody, or control in which the Defendant has a substantial nonexempt interest is exhausted (with certain exceptions set out in 28 U.S.C. § 3205(c)(10)(B)), or 3) the debt with respect to which the writ is issued is satisfied.

DATED this 18th day of October, 2010.



UNITED STATES DISTRICT CLERK
WESTERN DISTRICT OF TEXAS